

BEFORE THE  
POSTAL REGULATORY COMMISSION  
WASHINGTON, D.C. 20268-0001

FIRST-CLASS MAIL AND PERIODICALS  
SERVICE STANDARD CHANGES, 2021

Docket No. N2021-1

**MOTION OF THE UNITED STATES POSTAL SERVICE TO  
BE EXCUSED FROM RESPONDING TO GREETING CARD ASSOCIATION  
INTERROGATORY GCA/USPS-T2-2(B)<sup>1</sup>  
(May 17, 2021)**

Pursuant to 39 C.F.R. § 3020.105(b), the United States Postal Service hereby moves to be excused from responding to the Greeting Card Association's Interrogatory GCA/USPS-T2-2(b) identified below filed on May 14, 2021, on grounds that it seeks irrelevant information. See 39 C.F.R. § 3020.117(a) (permitting interrogatories "requesting non-privileged information relevant to the subject matter of the proceeding"). The subject interrogatory from which the Postal Service seeks to be excused is set forth below.

**GCA/USPS-T2-2.** Please refer to pages 8-9 of your prefiled testimony, where you explain that there will be no immediate change in the network connecting Network Distribution Centers (NDCs) because the mail primarily using this network is not affected by the instant service standard changes.

. . .

(b) Did you, or, to your knowledge, anyone within the Postal Service or among its consultants, investigate whether savings in the NDC network could be achieved by changing

---

<sup>1</sup> The relevant interrogatory was originally styled as "GCA/USPS-T-2/2," which does not appear to align with what the Postal Service understands to be the standard practice for interrogatory numbering before the Commission. The format has been standardized in this motion. This restyling does not affect the substance of the interrogatory or the arguments herein.

the service standards for some or all of the mail using that network? If your answer is affirmative, please fully explain that investigation and its results, if any. If your answer is negative, please provide your understanding of why no such investigation was undertaken.

Interrogatory GCA/USPS-T2-2(b) seeks information that is not relevant to the Postal Service's request for an advisory opinion in this proceeding. The request for an advisory opinion in this case is focused and limited in scope. In this docket, the Postal Service has requested an advisory opinion from the Commission on planned nationwide service changes that affect First-Class Mail letters and flats and, consequently, Periodicals and non-package international mail (the "Initiative"). As discussed below, the information requested through this interrogatory is relevant neither to the Postal Service's request nor to developing an opinion as to whether the Initiative complies with Title 39, as required by 39 U.S.C. § 3661.

In this proceeding, the Commission is required to evaluate whether the service and operational changes to First-Class Mail letters and flats (as well as end-to-end Periodicals and non-package international mail) proposed in the Initiative conform to applicable policies in Title 39. See 39 C.F.R. § 3020.113(a) (Postal Service shall include "such information and data and such statements of reasons and basis as are necessary and appropriate to fully inform the Commission and interested persons of the nature, scope, significance, and impact of the proposed change in the nature of postal services and to show that the change in the nature of postal services is in accordance with and conforms to the policies established under title 39, United States Code" (emphasis added)); see *also id.* at § 3020.113(b) (setting forth the specific information that the Postal Service should include in its request). The information sought through interrogatory GCA/USPS-T2-2(b) pertaining to savings in the NDC network, however, is

irrelevant to evaluate the Postal Service's reasons and basis for the Initiative, or whether the Postal Service satisfied the requirements articulated in 39 C.F.R. § 3020.113.

Witness Whiteman's testimony explains that the Initiative would result in "no immediate change in the capacity of transportation connecting the Postal Service's Network Distribution Centers (NDCs) because products that travel primarily on the NDC network will not be impacted by this change in service standards." USPS-T-2 at 8-9. The information sought with respect to theoretical savings in the NDC network, which will be unaffected by the Postal Service's proposed changes in this proceeding, and about which the Postal Service seeks no advisory opinion, is not necessary to inform the Commission and the parties of the nature, scope, significance, and impact of the Initiative on the nature of postal services. Indeed, the Commission has expressly precluded intervenors from developing rebuttal cases that "propose, or seek to address, alternatives to the Postal Service's proposal." 39 C.F.R. § 3020.120(b).

It is well-established that if a cost-savings concept is beyond the scope of the Postal Service's proposal, it is likewise beyond the scope of permissible discovery. Only last week, the Presiding Officer excused (and reaffirmed that excusal of) a Postal Service witness from answering an interrogatory about network operations related to products not at issue in this proceeding. See *generally* Presiding Officer's Ruling ("POR") No. N2021-1/2 (May 10, 2021); POR No. N2021-1/4 (May 12, 2021). "[T]he Commission's focus must center on potential cost savings related to the Postal Service proposal, as opposed to broad inquiries directed towards whether the Postal Service might be able to achieve cost reductions unrelated to its pending proposal." POR No.

N2012-1/57 (May 17, 2012), at 4. The NDC Network information sought will not further inform the Commission's opinion in this docket, and, accordingly, does not seek information on facts that "flow from the Initiative." POR No. N2009-1/2 (Sept. 1, 2009), at 2-3; see *also* POR No. N2009-1/7 (Sept. 18, 2009), at 2; POR No. N2012-1/27 (May 17, 2012), at 2; POR No. N2012-1/57 (May 17, 2012), at 4-5.

Interrogatory GCA/USPS-T2-2(b) seeks information related to theoretical cost savings from NDC networks that are expressly not a subject of this request. As such, the interrogatory is not relevant to this proceeding and is not "reasonably calculated to lead to the discovery of admissible evidence," as required by Commission Rule 3020.116(a).

In summary, for the reasons stated above, the Postal Service requests that it be excused from responding to interrogatory GCA/USPS-T2-2(b).

Respectfully submitted,

UNITED STATES POSTAL SERVICE  
By its attorneys,

Anthony Alverno  
Chief Counsel, Global Business & Service  
Development

Jacob D. Howley  
Bryan R. King

475 L'Enfant Plaza, S.W.  
Washington, D.C. 20260-1135  
(202) 268-8917  
May 17, 2021